

FORM PTO-1390
(REV 10-94)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTACHMENT SCKET NUMBER

MAR37 P-314

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/581397

INTERNATIONAL APPLICATION NO.

PCT/GB98/03775

INTERNATIONAL FILING DATE

December 16, 1998

PRIORITY DATE CLAIMED

December 16, 1997

TITLE OF INVENTION

NEUROPROTECTIVE AGENTS

APPLICANT(S) FOR DO/EO/US

Ashley K. Pringle et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unsigned)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information::
 - Authorization to Charge Deposit Account
 - Verified Statement Claiming Small Entity Status (unsigned)
 - International Preliminary Examination Report
 - International Search Report
 - PCT Request
 - Demand

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09/581397

INTERNATIONAL APPLICATION NO.

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ATTORNEY'S DOCKET NUMBER

MAR37 -P314

17. ☒ The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO.....\$ 840.00

International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$ 670.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$ 760.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$970.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

| Claims | Number Filed | Number Extra | Rate | | |
|--|--------------|--------------|------------|------------------------|----|
| Total Claims | 18 - 20 = | -0- | x \$18.00 | \$ 0 | |
| Independent Claims | 1 - 3 = | -0- | x \$78.00 | \$ 0 | |
| Multiple dependent claim(s) (if applicable) | | | + \$260.00 | \$ 0 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$840.00 | |
| Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28). | | | | | |
| SUBTOTAL = | | | | \$420.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | + | \$ |
| TOTAL NATIONAL FEE = | | | | \$420.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). | | | | + | \$ |
| TOTAL FEE ENCLOSED = | | | | \$420.00 | |
| | | | | Amount to be: refunded | \$ |
| | | | | charged | \$ |

a. ☒ A check in the amount of \$420.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. 16-2463 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-2463. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Price, Heneveld, Cooper,
DeWitt & Litton
695 Kenmoor, S.E.
P.O. Box 2567
Grand Rapids, MI 49501

Günther J. Evanina
Signature
Günther J. Evanina
Name
35 502
Registration Number

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ashley K. Pringle et al.
For : NEUROPROTECTIVE AGENTS

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Dear Sir:

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application, or credit any overpayment to Deposit Account No. 16-2463.

- 1) Any filing fees required under 37 C.F.R. §1.16 for which full payment has not been tendered.
- 2) Any patent application processing fees under 37 C.F.R. §1.17 for which full payment has not been tendered.
- 3) Any assignment recording fee under 37 C.F.R. §1.21 for which payment has not been tendered.

Pursuant to 37 C.F.R. §1.136(a)(3), the Commissioner is hereby authorized to treat any concurrent or future reply for this application that requires an extension of time as incorporating a request therefor. Any request or petition for an extension of time should be treated as requesting the appropriate length of time notwithstanding an inadvertent reference in the petition to a shorter period of time. A duplicate of this sheet is enclosed.

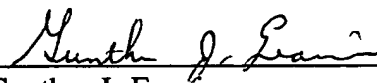
Respectfully submitted,

ASHLEY K. PRINGLE ET AL.

By: Price, Heneveld, Cooper,
DeWitt & Litton

June 13, 2000 _____
Date

GJE/daw



Gunther J. Evanina
Registration No. 35 502
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(616) 949-9610

Atty. Docket No. MAR37 P-314
Express Mail No. EL545348236US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ashley K. Pringle et al.

For : NEUROPROTECTIVE AGENTS

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached postal card, Filing Fee in the amount of \$420.00 (check), PTO Transmittal Letter (2 pages in duplicate), Authorization to Charge Deposit Account (1 page in duplicate), Preliminary Amendment (2 pages), International Application (43 pages of Specification, 6 pages of Claims (18 Claims), Declaration and Power of Attorney (unsigned) (2 pages), Verified Statement Claiming Small Entity Status (37 C.F.R. § 1.9(f) and § 1.27(d)) - Nonprofit Organization (2 pages) (unsigned), International Search Report (6 pages), International Preliminary Examination Report (6 pages), Request (4 pages), and Demand (5 pages), are being deposited with the United States Postal Service in an envelope having Express Mail Mailing Label Number EL545348236US addressed to:

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

on June 13, 2000.

Deborah A. Witvoet
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